

**STATE OF MICHIGAN**  
**DEPARTMENT OF LABOR & ECONOMIC GROWTH**  
**BEFORE THE STATE BOUNDARY COMMISSION**

**In the matter of:**

**Boundary Commission**  
**Docket #05-I-2**

**The proposed incorporation of the  
Village of Caseville as a Home Rule City,  
Huron County**

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**SUMMARY OF PROCEEDINGS**  
**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

**SUMMARY OF PROCEEDINGS**

- A. On May 31, 2005, a petition was filed to request that the Village of Caseville be incorporated as a Home Rule City.
- B. On January 19, 2006, the State Boundary Commission held an adjudicative meeting to determine the legal sufficiency of the petition. The Commission unanimously approved the petition as legally sufficient, pursuant to Public Act 191 of 1968, as amended, and Public Act 279 of 1909, as amended.
- C. On January 19, 2006, at an adjudicative meeting, the State Boundary Commission deliberated on expanding the area proposed for incorporation. The Commission voted 4-1 on a motion to expand the area proposed for incorporation for the purpose of receiving comment from the affected property owners at the public hearing. Voting in support of expanding the proposed area were State Commissioners VerBurg and Barnett, and Local Commissioners Green and Cristiano. In voting against the motion to expand the proposed area, State Commissioner Jamnick expressed that while she understands the commission's authority and discretion to square off boundaries, she is concerned that it could create some ill-will between the communities, which could take a long time to resolve or may not go away.
- D. On March 30, 2006, the State Boundary Commission held a public hearing in the Village of Caseville to receive testimony from interested parties, property owners in the village, and from property owners within the proposed expanded area, pursuant to Public Act 191 of 1968, as amended.

- E. On February 15, 2007, at an adjudicative meeting, State Commissioners VerBurg and Jamnick, and Local Commissioner Green unanimously adopted a motion that the area proposed for incorporation shall be the existing Village of Caseville, as petitioned, and as described in *Attachment A*. It should be noted that although State Commissioner Priebe was in attendance, he was not eligible to vote. Since he was appointed one week prior to this meeting, the docket material mailing did not arrive in sufficient time for him to read it and prepare for this adjudicative meeting.
- F. On February 15, 2007, at an adjudicative meeting, State Commissioners VerBurg and Jamnick, and Local Commissioner Green unanimously adopted a motion to approve the petition for the proposed incorporation, and unanimously recommended that the director sign an order to allow the incorporation proceedings to continue.
- G. On March 22, 2007, at an adjudicative meeting, State Commissioners VerBurg, Jamnick, and Priebe, and Local Commissioner Green unanimously approved a motion to adopt the draft Summary of Proceedings, Findings of Fact, and Conclusions of Law, with technical revisions, unanimously recommended that it be signed by the commission chairman, and transmitted to the Director of the Department of Labor & Economic Growth with the Order for his signature.

### **FINDINGS OF FACT**

1. The population of the Village of Caseville is 888.\*  
The population of the Village increased .036% from 1990 to 2000.  
The population of the Village during the summer rises to 3,250.  
(\* based on the 2000 federal decennial census)
2. The Village provides the following services to its residents:
  - public water and treatment (2,270 customers include the village, Caseville Township, and the Village of Pigeon)
  - sanitary sewer and treatment
  - storm water system
  - police protection
  - local village election
  - village tax collection
  - refuse, leaf and brush pickup
  - road construction and maintenance
  - street lights, street sweeping, parks, marina

3. The following are provided to the village by the township, either as a service, through a voted millage, or as legally required duties imposed by the state:
  - ambulance
  - fire protection (through the Caseville Area Fire Protections Association)
  - cemetery (located in village)
  - board of review
  - property assessment
  - county and school tax collection
  - elections and equipment
4. Fire protection is provided by the Caseville Area Fire Protection Association. The village is currently not a member of the association, but village residents pay a millage for the service and some village residents serve as volunteer firefighters. A fire station is located in the village limits.
5. A township cemetery is located within the village limits.
6. The village has a:
  - master land use plan
  - zoning commission and zoning ordinance
  - tax increment finance authority
  - downtown development authority
7. The total taxable value of the village in 2006 was \$35,841,147.
8. The 2006 state equalized value of real and personal property is:
  - Village: \$ 51,071,300
  - Township: \$275,412,500
9. Millage levied on village property taxpayers (excluding school and county millage):

2006: village unit:	10.9721
township operating:	.9448
township roads:	.7674
Total:	12.6843 mils
2005: village unit:	10.9721
2004: village unit:	10.9721
2003: village unit:	10.9721

*(The township charges the village a 1% property tax administration fee)*
10. Property owners in the village paid \$53,467.22 in annual taxes to the township in 2006.
11. The township expects to realize a revenue loss of approximately \$34,000 if the village is incorporated as a city.
12. The township does not oppose the proposed incorporation as petitioned, but only the proposed expanded area in the township.

### **THE COMMISSION FINDS THAT**

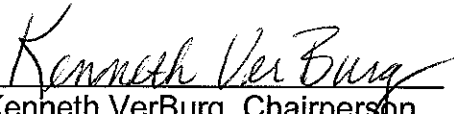
1. The village has the capability of providing the necessary additional services required of a city.
2. The township has the fiscal capacity to accommodate a decrease in tax revenue.
3. Expectations for further population growth and economic development in the area are reasonable.
4. The proposed village incorporation will not have a deleterious effect on the broader community.
5. Throughout these proceedings, statements and documents were submitted that identify a referendum petition signed and filed by more than 100 residents of the village who oppose the incorporation. Such petition was submitted to the village council in 2004 requesting a referendum election. All the signatures were dated in August of that same year. It should be noted and clarified for the docket record that this 2004 referendum signature petition was filed with the Village of Caseville council for consideration and action, and was initiated prior to Docket #05-I-2 being filed with the State Boundary Commission in May 2005. Therefore, the 2004 referendum signature petition is not in compliance with the statutory criteria for the filing of a referendum petition on this docket.

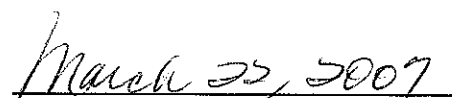
### **THE COMMISSION RECOMMENDS THAT**

The electorate of the Village of Caseville be allowed the opportunity to vote on whether to incorporate as a home rule city.

### **CONCLUSIONS OF LAW**

The record of this docket, in accordance with the criteria stipulated under Section 9 of the Public Act 191 of 1968, as amended, supports the Commission's recommendation that the Director of the Department of Labor & Economic Growth sign the attached Order to approve the petition proposing incorporation, and adopt this Summary of Proceedings and Findings of Fact and Conclusions of Law.

  
Kenneth VerBurg, Chairperson  
State Boundary Commission

  
Date

**STATE OF MICHIGAN**  
**DEPARTMENT OF LABOR & ECONOMIC GROWTH**  
**BEFORE THE STATE BOUNDARY COMMISSION**

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**FINAL ORDER**


**IT IS ORDERED THAT** these Summary of Proceedings, Findings of Fact, Conclusions of Law, and Order to approve the petition proposing the incorporation of the Village of Caseville as a Home Rule City, as described in *Attachment A*, shall be final 45 days after the date signed below by the Director of the Department of Labor & Economic Growth, unless a valid petition for a referendum is filed with the State Boundary Commission in Lansing within the forty-five day period following the date of this Order.

**IT IS ORDERED THAT** if a valid petition is filed with the State Boundary Commission within the 45-day period following the date signed below, the Order for a referendum on the question of incorporation shall include a new effective date for this Order, which shall be at least 10 days later than the date of the referendum.

**IT IS ORDERED THAT** if a referendum is held with the majority of voters in the affected territory voting no on the question of whether to continue the incorporation proceedings, this Order approving the proposed incorporation shall be null and void, and the proceedings for the proposed incorporation terminated.

**IT IS ORDERED THAT** if a majority of the voters in the affected territory vote in the affirmative on the referendum question, the new Order shall become final on the date specified, and copies of the new Order shall be transmitted to the Secretary of State, and to the clerks of the Village of Caseville, Caseville Township, and Huron County.

**IT IS FURTHER ORDERED THAT** the manager of the State Boundary Commission shall transmit a copy of this Order and the Summary of Proceedings, Findings of Fact and Conclusions of Law to the clerks of the Village of Caseville, Caseville Township, and Huron County.

  
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Keith W. Cooley, Director  
Michigan Department of Labor & Economic Growth

4/4/07  
\_\_\_\_\_  
Date



## DESCRIPTION OF:

### Village of Caseville Boundary:

The South 1/2 of Section 26, and also all of Section 34, and also the North 1/2 of Section 35 and the Southwest 1/4 of Section 35, all in T.18 N. - R.10 E., Village of Caseville, Huron County, Michigan.

And also the following described parcels of land located in the Southeast 1/4 of Section 35, T.18 N. - R.10 E., Village of Caseville, Huron County, Michigan:

#### Parcel 1

Commencing at the center of Section 35, thence South 80 rods, East 5 rods, North 80 rods, West 5 rods to place of beginning;

#### Parcel 2

Beginning 5 rods East of the center of Section 35, thence South 195 feet, East 116 feet, North 50 feet, West 50 feet, North 145 feet, thence West 4 rods to beginning;

#### Parcel 3

Beginning 132.5 feet East of center of Section 35, South 143 feet, East 50 feet, North 143 feet, to center of highway, thence West 50 feet to place of beginning;

#### Parcel 4

Commencing 11 rods and 1 foot East of center of Section 35, East 15.5 feet, South 195 feet, West 15.5 feet, thence North to beginning;

#### Parcel 5

Begin 3 chains East of the center of Section 35, thence South 110 feet, East 50 feet, North 110 feet, West 50 feet to place of beginning;

#### Parcel 6

Beginning 3 chains and 50 feet East of the center of Section 35, South 110 feet, thence West 50 feet, thence South 85 feet, East three chains 50 feet, North 195 feet, West 3 chains to beginning;

#### Parcel 7

Commencing 26 rods and 15 feet East of center of Section 35, thence East 154 feet, South 535 feet, West 154 feet, North to place of beginning.



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

The territory proposed for the incorporation of the Village of Caseville as a Home Rule City includes the following subdivisions:

Beadle's Twin-River Isle Sub'd, lots 1-30, outlots 1-2 and one private park

Blue Water Isle Subdivision, lots 1-41

Cochran-Smalley Plat, blocks I-VI

D. Mintline's First Addition to the Village of Caseville, block 1

First Addition to Caseville, blocks 1-8

Grand Park Subdivision, blocks 1-3 and 5-7

Grand Park Sub'd #2, lots 9-24 and outlot A

Harbor Subdivision, lots 1-28

Harbor Subdivision No.2, lots 1-12

I. Casai's Pigeon River Subdivision, lots 1-37

Law's Subdivision, lots 1-3

Margaret Woodworth Acres, lots 1-50, outlot A and one public park

Paul Woodworth's Addition to Village of Caseville, lots 3-10

Plat of Caseville, blocks 1-26

Rastigue's Subdivision, lots 1-57

Replat of Evergreen Heights Subdivision, blocks 1-4

Stephens Re-Plat of Lots 1 & 2 of Paul Woodworth's Addition to Village of Caseville, lots 1-26

Sunset Isle Sub'd, lots 1-5

*Providing for Michigan's Safety in the Built Environment*

BUREAU OF CONSTRUCTION CODES  
P.O. BOX 30704 • LANSING, MICHIGAN 48909  
Telephone (517) 241-6321 • Fax (517) 241-6301  
[www.michigan.gov](http://www.michigan.gov)